

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ELVIRA MAY STANTON, et al.,**

Plaintiffs,

v.

No. CIV 01-0380 BB/DJS  
**as consolidated with**  
No. CIV 01-0471 JP/LCS

**NORTH HILLS PROPERTY  
OWNERS' ASSOCIATION, INC., et al.,**

Defendants.

**MEMORANDUM OPINION AND ORDER**  
**DENYING PLAINTIFFS' MOTION FOR JUDICIAL REVIEW**

**THIS MATTER** comes before the Court on Plaintiffs' "Motion for Judicial Review and Conformation [sic] of Prior Ruling of New Mexico State Thirteenth District" (Doc. 26). In their motion, Plaintiffs ask the Court to review and reaffirm as precedent in this case a decision made by the Honorable Kenneth G. Brown of the Thirteenth Judicial District, Sandoval County, State of New Mexico in the case entitled Kisner v. North Hills Property Owners' Association, Inc., et al., No. CV 98-546. This Court will deny the motion on the ground that Plaintiffs have failed to establish the identity, both legal and factual, between Mr. Kisner's case and the extant case. In particular, by failing to attach Mr. Kisner's complaint to their motion, Plaintiffs have failed to so much as provide this Court with a rudimentary understanding of the factual allegations and legal theories upon which Mr. Kisner sought relief. Lacking such a basic foundation, this Court is in no position to assess whether Judge Brown's decision in the Kisner case has, or should have, any application whatsoever


to the extant case. Accordingly, it is incumbent upon this Court to independently assess all matters presented by Plaintiffs' complaint.

**WHEREFORE,**

**IT IS ORDERED THAT:**

1. Plaintiffs' "Motion for Judicial Review and Conformation [sic] of Prior Ruling of New Mexico State Thirteenth District" (Doc. 26), filed May 23, 2001, is **DENIED**.

**DATED** at Albuquerque this 27th day of August, 2002.

  
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BRUCE D. BLACK  
United States District Judge